

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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|--------------------------------|---|--------------|
| MICHAEL MCGRATH | : | CIVIL ACTION |
| | : | |
| v. | : | |
| | : | |
| LUMBERMENS MERCHANDISING CORP. | : | NO. 10-7513 |

ORDER

AND NOW, this 20th day of March, 2012, upon consideration of defendant's statement of facts and motion for summary judgment (docket entry # 14), plaintiff's answer to defendant's facts, counterstatement of facts, and memorandum in opposition thereto (docket entry # 16), defendant's reply thereto (docket entry # 18), and plaintiff's sur-reply (docket entry # 21), and upon the analysis set forth in the accompanying Memorandum, it is hereby ORDERED that:

1. Defendant Lumbermens Merchandising Corporation's motion for summary judgment (docket entry # 14) is GRANTED as to plaintiff Michael McGrath's ADEA and PHRA claims; and
2. The Clerk shall CLOSE this case statistically.

BY THE COURT:

___\s\Stewart Dalzell